

**Fremont Conservation Commission**  
**01-19-09 Minutes**



**Fremont Conservation Commission**  
**Minutes of January 19, 2009**  
Approved March 2, 2009

Present: Chairman John (Jack) Karcz, Members Janice O'Brien and Pat deBeer and Recording Secretary Meredith Bolduc.

Also present: Dennis Howland

Chrm. Karcz opened the meeting at 7:40 pm.

**GLEN OAKES FOREST & WILDLIFE MANAGEMENT PLAN**

At 7:40 pm Forester Charlie Moreno met with the Commission to report on the status of the Glen Oaks Forest & Wildlife Management Plan. Mr. Moreno submitted a draft of a map of the area to show where the various forest types are located. He said this becomes the basis of the plan. Mr. Moreno submitted a draft of a document that included the 9 forest types he delineated including; Upland Hardwood, Upland Hardwood with Inclusions (regeneration openings), Upland Hardwood, Young (previously clear-cut)... a lot was thinned out and is now 75 to 95 years old, White Pine/Hardwood (older), White Pine/Hardwood (two-aged), White Pine/Hardwood (cut), Pine/Hemlock/Hardwood, White Pine (even aged), Hemlock/Hardwood (cut).

Mr. Moreno said that the major forest stands east of Andreski Drive. This area supports upland hardwood primarily 85+ year old Red oak with large interspersed pockets of older White pine (mid-aged softwood/hardwood mix) scattered about the area. His prescription for this area of hardwood is crown thinning and improvement harvest approximately in the years 2010 – 2015. The objectives for the hardwood areas are to develop oak crowns to increase acorn production and regeneration as upland hardwood/pine with mixed hardwood in enriched pockets and to increase coarse woods debris to protect the integrity of the vernal pool network that is present in that area. The objectives for the older White pine and red oak sawtimber areas are to promote forest health and vigor, improve timber growth value, regenerate pine, oak, birch, maple and part of species mix and restrict progression toward beech forest type.

The area of the forest in the southeast corner of the property supports small stands of young hardwood growth by the power lines and adjacent to an active beaver swamp. There are some timber of low potential consisting of mostly beech and witch-hazel. Mr. Moreno prescribes to enhance wildlife by releasing fruit-bearing shrubs and trees. He states in his report that this is a cost-operation. This area should be treated as a modified reserve to enhance the wildlife habitat.

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The area of the forest in the south-west corner of the property consists of major forest type upland hardwood with regeneration openings. There are sapling hardwood strips near Spruce Swamp which is an enhanced habitat for moose. Timber was heavily cut in 2002 and there is residual uncut red oak timber. Mr. Moreno's prescription for this area is to improve the cut in the older stand strips, inter-sapling release in the cut strips and possibly to clear additional strips or pockets. The approximate time span for this is 2015-2020+. The objectives would be to promote the oak mast source, encourage favorable young growth in strips and maintain moose habitat. Mr. Moreno said that the structure in the south-west corner of the property leading to Spruce Swamp is vastly different from the first area described due to the cutting in 2002. He suggested cutting some strips on the southwest corner of the property to encourage moose and noted that one option would be to let it go for about 20 years, come in and cut another set of strips, to break up tree age classes in a patchy way. Mr. Moreno stated that there is a 15 year cutting cycle to sustain the forested areas of both areas. There are already some trails and a road and it was agreed that there should not be a lot more trails and no additional roads.

The White Pine/Hardwood (cut) occupies Spruce Swamp island only. This is a small forested island within Spruce Swamp near the mainland that provides open hardwood/softwood mix, diversified mast, and substantial wetland edge. The timber was harvested in 2003, but substantial mature sawtimber remains. Mr. Moreno prescribes full reserve (wildland) status for this island with monitoring for possible control of invasive plants or exotic diseases/pests if these appear in the future. The objective for this area is natural disturbance only. There was a conversation relative to the trail crossing to this island and/or footpaths for educational access.

During additional conversation relative to the Spruce Swamp island it was noted that the road is flooded due to beaver lands. Mr. Moreno said that the State wetlands bureau has mandated that there can be no cutting within 100' of a wetland and he would recommend that this area be a full reserve and there be no cutting on the Island. He said that other reserve areas he will recommend are in the southeast corner of the eastern side and a modified reserve in the northern area of the western side. The exceptions would be for possible control of invasive plants or exotic diseases/pests if these appear in the future. He agreed that his opinion may change if the Town should acquire some of the abutting properties.

Mr. Moreno noted that all areas of the forest support minor small scattered pockets of minor forest type white pine/hardwood. This timber is pine partially cut in the past, red, black and white oak developing in addition to pine.

There was a conversation relative to logging for the good of the forest as well as revenue. Mr. Moreno stated that there is a 15 year cutting cycle to sustain the forested areas of both areas. There are already some trails and a road and it was agreed that there should not be a lot more trails and no additional roads. Mr. Moreno said that logging is a visual impact, but it doesn't take long to fill back in. A lot of the management he is working with is to bring the forest back to natural habitat. He said that when the forest is logged the existing log landings should be used as a loading area so that new roads would not need to be constructed and the existing roads can be used to handle the large equipment. Invasive plants do not seem to be a major problem. Bicycles are not a problem at this time either, but Mr.

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Moreno said that he would advocate not promoting bicycles in groups.

Mbr. deBeer stated that this is a plan, and not a law, that is open to further review and change at later times. Mr. Moreno absolutely agreed. Mbr. O'Brien said that it is important that years from now people know what the Conservation Commission was intending for the management of the Spruce Swamp. Mr. Moreno stated that the Forest Management Plan may need to be periodically re-evaluated because of natural changes to the area like the tornado of 2008 or the discovery of invasive species.

Mr. Moreno hopes to convey that the objective of timber cutting is not to make money, but to enhance wildlife habitat and to improve the health and vigor of the forest. The income from the forest would be moderate and could be put back into the land.

Mr. Moreno asked for a wildlife action plan map of the Town and Mbr. deBeer agreed to send him a pdf version.

Trapping was discussed and Mr. Moreno said that the only area where he feels beaver are overly active is in Spruce Swamp. He would like to get more information before rendering an opinion as to whether the area would support trapping of beaver. He was hesitant to agree to allowing the trapping of otter and some other smaller fur-bearing animals. Chrm. Karcz asked if a trapper now needs to have permission from the State to trap in prime wetland. Mr. Moreno did not know, but said they do need to be licensed by the State Fish & Game and there is a limit on the take. Mr. Moreno agreed to contact the Fish & Game (to find out the trapping rules) and speak with a responsible trapper and then he would write some guidelines for controlling trapping in our Town Forest.

Mr. Moreno submitted a NH Natural Heritage Bureau report on rare species and exemplary natural communities on the land identified as Spruce Swamp, south-east corner. A copy of this will be forwarded to each Member.

Mr. Moreno said his plan is to wrap up the report by May or June and he scheduled another meeting with the Commission for April 20, 2009.

At 9:20 pm the Members thanked Mr. Moreno and he left the meeting.

#### **MINUTES**

Mbr. deBeer made the motion to accept the minutes of the January 5, 2009 meeting as written. The motion was seconded by Mbr. O'Brien with unanimous favorable vote.

#### **ANDERSON CONSERVATION EASEMENT**

The Conservation Commission received and discussed a copy of the baseline summary and report and a copy of the easement deed for the Anderson Conservation Easement. The Commission also received a copy of a January 13, 2009 cover letter from Mary Currier of the Rockingham County Conservation District to Mr. and Mrs. Anderson relating that each year, upon completion of the monitoring visit, a copy of the report will be sent to them to add to their folder. A complete baseline file, including maps

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and photos, is held in a fire-proof file cabinet at the RCCD office.

#### **NH DES**

Mrs. Bolduc reported that on January 6, 2008 she spoke with Eben Lewis about issues as outlined below.

Relative to the possible wetland violation in the lands south of Tuck Woods (near Spruce Swamp) that was recently reported, Mr. Lewis wanted to relay that the pictures and gps points were excellent. Rarely do they have such detailed information submitted with a complaint.

In answer to my questions Mr. Lewis stated:

- a) He received the written complaint issued by the Fremont Conservation Commission has formally submitted it to NH DES.
- b) A letter will be sent from DES to the two landowners (Kelleher at Map 4 Lot 091 and Lyons at Map 4 Lot 093) where the alleged violation took place.
- c) The land where the violation occurred is jurisdictional wetlands (DES jurisdiction). It has not been designated as prime yet.
- d) A landowner has the right to destroy beaver and beaver dams, but only in accordance with RSA 210. He does not have the right to use heavy equipment in jurisdictional wetlands. Mr. Lewis said that heavy equipment can be used on high land (banking) to reach into the wetland.

Relative to prime wetland designation, Mrs. Bolduc related to Mr. Lewis that as the result of Mark West's prime wetland study the Town voted at the March 2008 Town Meeting to approve 26 wetlands as prime, these 26 have been added to the Tax Map Set and on October 24, 2008 Mr. West took the package to Senior Wetlands Inspector Frank Richardson at NH DES for approval.

In answer to questions Mr. Lewis stated:

- 1) Wetlands are only considered prime at the time of the DES approval.
- 2) The approval is not retroactive to any date or vote.

The land where the violation has been discovered includes some areas of wetland that were studied by Mark West and have been submitted to NH DES for Prime Wetland designation.

#### **TREASURERS REPORT**

The Commission received a December 31, 2008 year end account balance sheet from Town Treasurer Kimberly Dunbar. This sheet showed \$8,014.70 in the residual account, \$160.21 in the CC checking account, \$317.52 in the open space escrow account, \$10,715.03 in the current use escrow account and \$170,000 CD (that was recently deposited from the current use escrow account). Year end interest was shown in all accounts.

Chrm. Karcz reported that there had been a concern relative to risk on anything over \$100,000 of the \$170,000 bank CD, but it was found that Citizens Bank now insures up to \$250,000 of investor deposits per depositor so the \$170,000 is fully insured.

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#### **COMMUNITY TECHNICAL ASSISTANCE PROGRAM (CTAP)**

##### Open Space Plan

Chrm. Karcz reported that on January 12, 2009 he submitted an application to CTAP for assistance in preparing an Open Space Plan through the I-93 Community Technical Assistance Program.

Mrs. Bolduc was been informed by David West of RPC that the Town has definitely been approved for an Open Space Plan. The Open Space Plan is a stand-alone document. This would be a project for the Open Space Committee, but with representatives, if possible, from the Conservation Commission, Planning Board, Selectmen and any other Board or Townspeople that would be interested and could commit to the project. This would be a 4 month process that would involve about 4 meetings (maybe one per month). The process calls for identification of important views and natural features of the Town that would be ranked by the Committee to see how to connect green infrastructures, then identify the parcels involved and their value, and come up with the best stewardship for the Open Space Plan. Mr. West said that he could do most of the mapping involved. Mr. West said that he will soon know more about when to get this project started.

##### Wetland Mitigation Plan or Vegetative Buffer Ordinance

Chrm. Karcz reported that he spoke with RPC Circuit Rider David West relative to whether RPC could create a wetland mitigation plan and what it would cost. He also asked if RPC could create a zoning ordinance amendment that would include a detailed vegetative buffer in the 100' wetland setback.

Mrs. Bolduc reported that in her conversation with Mr. West today he related that he did not know about a Wetland Mitigation Plan, but was reasonable sure there would be enough for a Vegetative Buffer Ordinance. He will hopefully have the answers at the January 21, 2008 Planning Board meeting.

Chrm. Karcz said that the Planning Board has agreed to ask Mr. West to look into whether CTAP funding could be used to create a Wetlands Ordinance to include enforcement authority and enforcement procedures.

Mbr. O'Brien viewed the Wetland Restoration Rules of Procedure and said there are rules that are currently in place that are not being utilized. She offered to find out if any other towns have policies or ordinances for wetland restoration and report back with any information she obtains.

#### **MEETING SCHEDULE**

The Members agreed to cancel the February 16, 2008 Conservation Commission meeting as the Town Office will be closed in observance of Presidents Day.

##### Mapping of the Town Forest for the Town Website

Mbr. deBeer said that in working on making directions to the Town Forests she found that the connector to the trail to the swamp passes over the Smith property, and possibly the Ladd property. This "connector" is shown on the map at the entrance to Glen Oakes in the kiosk. Mbr. deBeer had

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questions relative to: 1) Should the Conservation Commission obtain permission from the Smith's (and/or Ladd) to use this trail prior to posting this section of the trail on the Glen Oakes trail map on the internet (i.e. Town website); 2) Would the Smith's consider selling a piece of their land so that Glen Oakes would include this trail access?; 3) Shall we include the Pike lot trail on the Glen Oakes trail map? (The Lawrence's did give public access in the easement); and 4) Is it time to do an official survey of Oakridge? Doing a survey and marking boundaries is an important part of good land stewardship.

After some discussion by the Members, Mbr. O'Brien agreed to contact Tom Brouillette for an estimate to survey the property and report back to the Commission.

The Members agreed that the issue of the trail to the north-west corner of Glen Oakes crosses privately owned land should be further addressed. The Commission discussed relocating the trail so that it is fully contained on the Glen Oakes property. Mbr. O'Brien said that the layout of the land should be looked at when the weather permits; the Members agreed.

There was a conversation relative to naming the trails in Glen Oakes and putting up signs. This will be further addressed.

#### **INCOMING CORRESPONDENCE**

There was no incoming correspondence.

Mbr. O'Brien made the motion to adjourn at 10:22 pm.

Motion seconded by Mbr. deBeer with unanimous favorable vote.

Meredith Bolduc  
Recording Secretary